

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

**MARTHA RUSHTON**, Individually and as  
Personal Representative of the Estate of **GLEN  
O. RUSHTON, JR.**, Deceased,

Plaintiffs,

v.

**A.W. CHESTERTON COMPANY**, et al.

Defendants.

No. 2:22-CV-500- BJR

STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE AS TO  
DEFENDANTS IMO INDUSTRIES INC.,  
VIACOMCBS INC., AND YORK  
INTERNATIONAL CORPORATION

Plaintiff, Martha Rushton, Individually and as Personal Representative of the Estate of  
Glen O. Rushton, Jr., Deceased, and Defendants: (1) IMO Industries Inc.; (2) ViacomCBS Inc.;  
and (3) York International Corporation stipulate to the entry of the following *Order of Dismissal*  
without further Notice, *with* prejudice as to all defendants remaining in this case except for Tate  
Andale (“Tate”). Plaintiff has resolved with Tate but requests that the Court retain this case on its

inactive docket pending receipt of such settlement funds. Each party will bear its own costs and attorneys' fees.

DATED this 21<sup>st</sup> day of February, 2024

WATERS, KRAUS & PAUL

/s/ Christopher L. Johnson

Christopher L. Johnson, WSBA #: 56203

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**Attorneys for Defendant IMO Industries, Inc.**

MORGAN LEWIS & BOCKIUS, LLP

/s/ Marisa L. Berlinger (signed w/ permission)

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**Attorneys for York International Corporation**

**ORDER OF DISMISSAL**

This matter having come before the Court by way of Stipulation by Plaintiff and Defendants IMO Industries Inc., ViacomCBS Inc., and York International Corporation, it is hereby ORDERED:

All claims against Defendants IMO INDUSTRIES INC., VIACOMCBS INC., and YORK INTERNATIONAL CORPORATION, only, are hereby dismissed with prejudice and without costs or attorney fees as to any party.

Dated this 21<sup>st</sup> day of February, 2024



Honorable Barbara J. Rothstein  
United States District Judge

Presented by:  
WATERS, KRAUS & PAUL

/s/ Christopher L. Johnson  
Christopher L. Johnson, WSBA #: 56203  
[cjohnson@waterskraus.com](mailto:cjohnson@waterskraus.com)

**Attorneys for Plaintiff**

**CERTIFICATE OF SERVICE**

I hereby certify that on February 21, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send electronic notification to all counsel of record.

<p><b><u>Counsel for IMO Industries, Inc.</u></b>  Michael Ricketts  GORDON, THOMAS, HONEYWELL LLP  520 Pike Street, Suite 23500  Seattle, WA 98101  Phone: (206) 676-7500  imoservice@gth-law.com  mricketts@gth-law.com</p>	<p><b><u>Counsel for Tate Andale, LLC</u></b>  Howard (Terry) Hall  Zackary Paal  J. Scott Wood  GORDON REES SCULLY MANSUKHANI, LLP  701 Fifth Avenue, Ste. 2100  Seattle, WA 98104  Phone: (206) 695-5100  seaasbestos@grsm.com  zpaal@grsm.com  hthall@grsm.com  swood@grsm.com</p> <p>-and-</p> <p>Richard D. Ross  LAW FIRM OF RICHARD D. ROSS  3318 Beach Dr. SW, #101  Seattle, WA 98116  (206) 660-0512  Richard.d.ross@icloud.com</p>
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/s/ Kaycie Pressley  
KAYCIE PRESSLEY